THE HON'BLE Ms. JUSTICE G. ROHINI

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WRIT PETITION NO.1391 OF 2000

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Dated: 26th OCTOBER, 2006.

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Between :

A.P. State Road Transport Corporation,
Mushirabad, Hyderabad, rep. by its
Managing Director … Petitioner

And

1. State Transport Appellate Tribunal, A.P.,
   Hyderabad, rep. by its Presiding Officer;
   And 3 others. .. Respondents

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WRIT PETITION NO.1391 OF 2000

ORDER :

A.P. State Road Transport Corporation (for short, 'the Corporation') filed this writ petition aggrieved by the order dated 29-9-1999 made by the State Transport Appellate Tribunal, A.P., Hyderabad in R.P.No.125 of 1996.

On an application made by the 4th respondent herein, the Regional Transporting Authority, Nizamabad by order dated 28-5-1996 granted permit to ply as town service on the route from Armad to Khilla. Aggrieved by the same, the petitioner Corporation preferred Revision before the State Transport Appellate Tribunal which was dismissed on the ground that it is barred by limitation. Questioning the same, this writ petition is filed contending inter alia that as a matter of fact the Revision Petition was within the time and the Revision was dismissed by the Tribunal on erroneous assumption that it was barred by limitation. It is also contended that at any rate the Tribunal ought to have permitted the Corporation to take appropriate steps for condonation of the delay.

In identical circumstances, a Division Bench of this Court disposed of W.A.No.252 of 2005 by judgment dated 23-2-2005, permitting the Corporation to file a formal application seeking condonation of delay.

Having heard the learned Counsel for both the parties and having regard to the fact that the petitioner herein also stands on the same footing, the order of the Tribunal dated 29-9-1999 is set aside

and the writ petition is disposed of granting liberty to the petitioner Corporation to make an application seeking condonation of delay within a period of four (4) weeks from the date of receipt a copy of this order. If any such application is made within the time mentioned above, the Tribunal shall consider the same and pass appropriate orders in accordance with law after affording an opportunity to the 4th respondent following due process of law.

Writ Petition is accordingly disposed of. No costs.

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G. ROHINI, J.

Dt. 26-10-2006

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